compares the period with the present time; and

transforms a result of said comparison to data reflecting that a user is allowed to utilize the content, when the present time falls within the period; and

[serves] requests the content when said comparing step determines that said present time falls within said period.

25.   (NEW) A method for ascertaining a sales period exists, said method comprising:

reading a period stored on a storage medium indicating an interval period of time;

generating present time data indicating a present time;

comparing the period stored on the storage medium with the present time to judge whether said present time falls within the period; and

[serving] requesting content from the storage medium when said comparing determines that said present time falls within said period.

REMARKS

I.   STATUS OF THE CLAIMS

Claims 1-19 are pending.

None of the claims are amended.

New claims 20-25 are added.

In view of the above, it is submitted that claims 1-25 are pending herein for consideration.
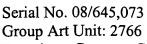
II.   REJECTION OF CLAIMS 1-19 UNDER 35 U.S.C. § 102(b)

Claims 1-19 are rejected under 35 U.S.C. § 102(b) as being anticipated by McMullan, Jr et al, U.S. Patent No. 5,255,086 (Hereinafter "McMullan '086"), or McMullan, Jr et al., U.S. Patent No. 5,142,690 (Hereinafter "McMullan '690"). The rejections are traversed below.

Claim 1 recites, "a period reader reading a period stored on a content medium indicating a period of time during which a content on the content medium can be served . . ."

McMullan '096 and McMullan '690 disclose a system relating to a cable box descrambling a "pay per view" transmission. While neither of the references particular state this, according to the Examiner each cable box locks in a time during which it is to perform the descrambling feature. Presumably, the time that is locked in would be received (again, the references do not particularly state this) from a directory of some sort from the cable provider listing each pay per view event and their respective showing times. However the directory identifying the times of the event, and the source of the actual event itself are two different things. This is different than a period reader reading a **period stored on a content medium** indicating a period of time during which a **content on the content medium** can be served. The content to be served in the relied upon references would be located on a different medium than the time periods. One consequence of this difference is that by the system in the references, the same content may be served at different time periods according to what is stored in the directory. Therefore, content does not necessarily have an "expiration date." In addition, by the system in the references, the content provider may have no control over what intervals the content can be viewed.

Therefore, what is claimed in the references is a different system than the present invention. For the present claims to recite what is disclosed by the references, the interval period would have to be retrieved from a different source than the content medium.

In view of the above, it is submitted that claims 1-19 are not disclosed by <u>McMullan '096</u> and <u>McMullan '690</u>, and withdrawal of the rejection is respectfully requested.

III. NEW CLAIMS 20-25

New claims 20 and 22 (as amended) recite, "a period reader reading a period stored on a content medium indicating a period of time during which a content on the content medium <u>released to end users</u> can be served . . ."

In <u>McMullan '096 and McMullan '690</u>, the content is continuously served and released to end users. However, a descrambler selectively decodes the content if the present time falls between a particular window. In claims 20 and 22, the content medium indicates a period of time during which a content on the content medium released to end users can be served. The content medium in claims 20 and 22 is released to end users and served, whereas the content in the cited references is served directly from the cable provider.

New claims 21 and 23 (as amended) recite, "a <u>requesting unit requesting a service of</u> the content when said comparator judges that the present time falls within the period of time."

In <u>McMullan '096</u> and <u>McMullan '690</u>, the content is served according to the cable provider's own schedule. There is no requesting unit requesting a service of the content in the

cited references. The content may then be descrambled according to the present time, but

nevertheless the serving of the scrambled content is continuous and not requested.

New claims 25 (as amended) recite, "[serving] requesting content from the storage

medium when said comparing determines that said present time falls within said period." New

claim 24 is amended similarly.

As stated above, the cited references do not request content from the cable provider.

Instead, the content from the cable provider is continuously served, notwithstanding whether the

content is ever actually descrambled and displayed or not.

In addition, new claims 20-25 should be allowed in view of the above remarks with

respect to claims 1-19.

Therefore, in view of the above, it is submitted that new claims 20-25 are in condition for

allowance, and allowance of these claims is respectfully requested.

IV. CONCLUSION

In view of the above, it is respectfully submitted that the above-referenced application is in condition for allowance, which action is earnestly solicited.

If there are any additional fees associated with filing of this Amendment, please charge the same to our Deposit Account No. 19-3935.

Respectfully submitted,

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